



Department of Public Safety and Correctional Services

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Maryland Correctional Training Center

18800 ROXBURY ROAD • HAGERSTOWN, MARYLAND 21746

(240) 420-1601 • FAX (301) 797-8574 • TTY USERS 1-800-735-2258 • www.dpscs.maryland.gov

STATE OF MARYLAND

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CHIEF OF SECURITY

MEMORANDUM

TO: Anne Arundel County Circuit Court

FROM: J. Jefcoat CCMSI

DATE: 11/10/2014

SUBJECT: Inmate Now Committed to Corrections, MCTC

Be advised that:

Mr. Boisey Neal, DOC #349871, SID # 978847, DOB 04/06/1966 is presently incarcerated in the Maryland Correctional Training Center, 18800 Roxbury Road, Hagerstown, MD 21746.

Please schedule any open criminal proceedings as soon as possible and forward all writs to the Southern Region Transportation Unit (SRTU) at 7735 Waterloo Road, Jessup, Maryland, 20794. Their phone number is (410) 799-7586, fax number (443) 755-1323. If your jurisdiction has a warrant on this individual please contact the Hagerstown Regional Commitment Office via fax at (301) 416-8422 or (240) 420-1126 if you are interested in placing a detainer on this subject.

Please see below for case and tracking number information:

Case Number: 02K07001393

Tracking Number: 07-1001-00730-2

Thank you for your time!

*All writs must be received at the Southern Region Transportation Unit office at least five business days before the trial date.

CRIMINAL DEPT.

2014 NOV 18 AM 11:59

UCS-SLE

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Certificate Of Service

I Boisey Levern Neal, Hereby Certify That on this 19th day of
November 2014, a Copy of the foregoing pro se letter Handwritten to be
Added to post conviction relief petition was mailed or hand delivered, to the
Honorable Judge Paul F, Harris JR., of the Circuit Court for Anne
Arundel County,

Boisey J. Neal

Boisey Levern Neal
#349-871

Petitioner,

M,C,T,C.

18800 Roxbury Road

Hagertown, Maryland 21746

PROSE LETTER: To be Added to CASE# 11-19-2014
02-K-07-001393 - Post Conviction..

To THE Honorable Judge Paul F. Harris, Jr;

Good DAY Your Honor.

Your Honor, Under Normal

Circumstances I would not write the Honorable

Judge this "Prose" letter, but time is of the

ESSENCE. BECAUSE OF STATEMENTS MADE TO ME BY

my COUNSEL MR. WHITNEY at our VIDEO INTERVIEW

ON NOVEMBER 17, 18th of 2014, I have no choice

but to ask Your Honor to PLEASE Add this "Prose"

LETTER to my Post Conviction PETITION...

Your Honor, on FEBRUARY 5th, 2008

when the STATE ATTORNEY MR. DUNTY first made

the PLEA OFFER, MR. DUNTY's intentions ARE VERY

CLEAR as to what I would RECEIVE in Exchange for

my Guilty Plea at SENTENCING ON MARCH 28th, 2008.

I RECEIVED ALL that the STATE ATTORNEY MR. DUNTY
OFFERED "EXCEPT" THE SENTENCE that was REQUIRED
ONCE I PLEAD GUILTY TO TWO COUNTS. YOUR HONOR, I DID
PLEAD GUILTY AND THE COURT RECORDS ARE VERY
CLEAR without ANY AMBIGUITY as to what I PLEAD
GUILTY TO in EXCHANGE for A GUIDELINE SENTENCE
OF 10 to 15 YEAR "CAP"... THE COURT RECORDS DOES
NOT SHOW ANY EVIDENCE that the STATE'S ATTORNEY
RECOMMENDATIONS WERE NOT "ACCEPTED" BY THE
COURT as the COURT CLEARLY FOUND SUFFICIENT
FACTUAL BASIS FOR THE PLEA. THE COURT REPEAT'S
THE GUIDELINES RANGE IN WHICH THE STATE WAS
SEEKING AS FAR AS "JAIL" AS THE COURT STATES
ON THE RECORD... YOUR HONOR, MR. WHITNEY EXPLAIN
TO ME that if I WERE SUCCESSFUL at the Post
Conviction HEARING that I WOULD BE ENTITLED TO

SEEK Specific Performance of the Plea Agreement.

Your Honor, While it is true that SOME CASES ARE VERY Similar in Nature, All Relief CAN NOT be the SAME. I say this BECAUSE I'VE BEEN told that I have ONE RELIEF REMEDY for my CASE. Your Honor PLEASE READ MR. WHITNEY'S LETTER that I HAVE in-Closed in this letter to you. Your Honor, I ONLY Cited CUFFLEY 416 Md. 568 in my PETITION to show the Honorable Court the Similar PLEA AGREEMENT in which Mr. CUFFLEY was given a GUIDELINE SENTENCE of four-to Eight "within the Guidelines" in Exchange for his Guilty PLEA... Your Honor, Now let us look at BAINES v. STATE 416 Md. 604. ONCE again a PLEA Bargain with the STATE on "Two" Counts of ARMED Robbery in Exchange for a Sentence "Within the Guidelines" Range of 7 to 13 YEARS.

Now Your Honor, I totally disagree that my
REMEDY for RELIEF would be BASE ON the "CUFFLEY"
OR "BAINES" DECISIONS BECAUSE OF how "THEY"
WERE SENTENCED and how the SEQUENCE in
which "I WAS SENTENCED".

"CUFFLEY" Plead Guilty to ONE Count
for his PLEA, WHILE "BAINES" Plead Guilty to two
Counts of ARMED ROBBERY . . .

Now Your Honor, look at how that both
WERE SENTENCED starting with Count 1, AS THE
LEAD COUNT. Your Honor, "BAINES" SENTENCE READS
AS FOLLOWS: ON COUNT 1... 20 YEARS, SUSPEND
ALL BUT SEVEN, WITH FIVE YEARS PROBATION.

ON COUNT 8... 20 YEARS, SUSPEND
ALL BUT SIX, AND COUNT 8 IS TO RUN CONSECUTIVE TO
COUNT 1. THEN THE COURT STARTS THE SENTENCE . . .

Now let us look at how I was sentence unlike
"Cuffley" or "Baines"... Neal Plead Guilty to
TWO COUNTS, Count 1, Armed Robbery and Count 2,
USE of a handgun in a CRIME OF VIOLENCE. ^{CASE #} 02-K-07-1393

THE STATES ATTORNEY [Mr. Dusty] Said that
if Neal Plead Guilty that the STATE would ask
for ACTIVE INCARCERATION "within the Guidelines"
of 10 to 15 YEARS...

THE NEAL SENTENCE READS:

"Sir, in terms of Count b, which is the
handgun in a CRIME OF VIOLENCE, its 10 YEARS to the
Division of Corrections". I will Suspend all but
five YEARS. That will BEGIN ON JUNE 14th, 2007..
Your Honor, before I continue PLEASE NOTE that
this SENTENCE has BEEN SERVED Since JUNE 14th, 2007
DAY FOR DAY and is the problem that I have with my

Understanding of Using Common SENSE that I've fully
Paid my debt for Count 6, which was "within the
guidelines" that THE STATE [MR. DUNLY] Said I
Would RECEIVE for my Guilty PLEA At Sentencing.

Now Your Honor, here's WHERE I disagree
with MR. WHITNEY who is my "Court Appointed"
Attorney, HE told ME that the Court Could HAVE
SENTENCE ME to Count 6, First "As it did, and
make the LEAD Count which is Count 1; Consecutive
to the LESSER Count which is Count 6...

Now I Ask the Honorable Court to
PLEASE Show ANY Evidence to Support that
the Courts "Will Sometimes" impose it's
SENTENCE with the LESSER Count First AND
Start that Sentence before imposing it's next

Your Honor, While it is true that I am not as educated as yourself or Mr. Whitney who has "reminded me that I am not a Lawyer, I still have the Right to Argue Any issue "with respect" that could help me ... Your Honor, my whole future depends on the Court's decision if it's proven that my PLEA Agreement was Breach and I believe the Court Record's will prove and bear witness of my behavior.

"I AM NOT SEEKING A NEW TRIAL"
OR ANY RELIEF LIKEN TO "CUFFLEY" OR "BAINES",
BECAUSE OUR CASES WHILE SIMILAR, OUR IMPOSED
SENTENCES ARE VERY DIFFERENT...

Your Honor, thank you for taken the time to Read this PLEA LETTER and I beseech you to Please Add this letter to my Post Conviction Relief Petition.

IN THE MATTER OF:

BOISEY LEVERN NEAL

FOR CHANGE OF NAME TO:

BOISEY UL-DIN ISA BUSHU OSHI

* IN THE

* CIRCUIT COURT

* FOR

* ANNE ARUNDEL COUNTY

* Case No.: C-09-141407

* * * * *

ORDER FOR CHANGE OF NAME

The Court having read and considered the Petition for Change of Name, the requirements of Maryland Rule 15-901 having been met, a hearing having been found unnecessary, it is this 23 day of September, 2010 by the Circuit Court for Anne Arundel County:

ORDERED, that the name of BOISEY LEVERN NEAL (DOB: April 6, 1966) is hereby changed to:

BOISEY UL-DIN ISA BUSHU OSHI.



Judge Michael Wachs
Circuit Court for Anne Arundel County

2010 OCT - 7 P 2:55

CIVIL DEPARTMENT

I, Robert P. Dukworth, Clerk of the Circuit Court
for Anne Arundel County, hereby certify that this is
true copy from the record in this court.
This was the hand and act of the undersigned
on the 09 day of July 2014.



Robert P. Dukworth, Clerk of the Circuit Court for Anne Arundel County, Maryland



NOTE: Your PLEASE READ this CAREfully.. PLEASE...

YOUR HONOR, ONE MORE important Note of Why the Court
Should Rule in MY FAVOR is because of the fact that
MR. PETE TERECH tried to help me 3½ YEARS Ago
WHEN I WROTE him About not Understanding My Sentence.
Your Honor, I WROTE the Honorable Judge William C. Mulroney
also About Not Understanding My Sentence that he
imposed on MARCH 28th, 2008... Court Records
will show what he RESPONDED back to ME and
Said. Your Honor, if MR. PETE TERECH WERE to testify
at my Post Conviction HEARING, he would tell the Court
that 3½ YEARS ago he CAME to "Vist" ME at THE PATUXENT
Institution after I WROTE to him about ^{MY} SENTENCE and HE
would also "testify" that all of my TRANSCRIPTS for this
Case WERE SENT to the Collateral Review Division ^{""}
by HIM! I HAVE PROVE Your Honor that if NEED BE, I Could
show the Court that "PEOPLE" KNEW that MY SENTENCE

Was wrong base on my Plea Agreement And I still did my best to ask the Court to Explain my sentence And no one would... Your Honor, I ask you to PLEASE look at my transcripts and you will see that I was once a very successful businessman with over 148 employee's. This seems to not matter to anyone "that days before I was given the drug "Crystal Meth", I had \$5,438.16 in my pocket the night I went to "Kelly's Bar" in Fells Point Baltimore City where I once lived... I have told Mr. Whitney that I have prove to show him from just one of my 4 companies that I Legally made thousands by the day leading up to me going into a gas station and robbing it for \$500.00. Your Honor, what's wrong with this picture? No one but Mr. Pete Terech tried ^{to} help save a man that was broken 8 years ago Your Honor...

If Your Honor would also look at how my Transcript at Sentencing reads with Count 6, being imposed first and with a starting date from June 14th, 2007, Your Honor would also see that my Commitment Record does not read in the same manner in which I was sentenced. Your Honor, every case that I have done my own research on always has the lead count, being imposed "First" and then the "Lesser" counts follow behind... Your Honor, Mr. Whitney explain to me that a Judge can start off by imposing the lesser count like in my case, but he has yet shown me any cases like mine to support his statement. Your Honor, I would like to ask you to PLEASE consider the facts in my case and how it was sentence, that it would be unfair to not credit me for the 10 years that I've already served for Count 6.

THE Court Transcript will clearly show that my
PLEA WAS FOR A Guideline Sentence of 10 to 15 years,
And Court 6, was imposed And Said to Start before the
Breach of the PLEA WAS DISCOVER... I SERVED that
SENTENCE Your Honor.

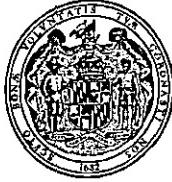
I will End This Letter Your
Honor And I hope that you would PLEASE try And under-
stand' that I must fight to SAVE MYSELF' And my
FUTURE...

Bailey Neal - AKA Osh.

Note:

Your Honor, for the Past 8 years
Besides fighting for my freedom, I worked on improving
and Rebuilding my Company All over. I've changed my
NAME And All the PEOPLE of my Past Are no longer
part of what's ahead in my future. I did not ~~not~~
waste Any of my time in here Your Honor, I learned
more About Life and people in the last 8 years As if
I've lived 80 years

STATE OF MARYLAND



MARTIN O'MALLEY
GOVERNOR

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June 26, 2014

Boisey Levern Neal (#349-871)
Maryland Correctional Training Center
18800 Roxbury Road
Hagerstown, MD 21746

RE: OPD ID: 14-0600889
Case Number: 02-K-07-001393

Dear Mr. Neal:

I have received your letter dated June 16, 2014. In addition, I received from the clerk's office a copy of the pro se Petition for Post Conviction Relief you filed on June 17, 2014.

It appeared to me that you were trying to attack your sentences based upon the Cuffley decision. ~~(One form of relief) set forth in Cuffley, which you appear to pursuing, calls for the suspended portion of the sentence and the probation imposed to be stricken. I point out to you that if your sentence was corrected as requested in my petition, you would receive credit for all of the time you have already served for these sentences.~~

Regarding your sentencing for your Baltimore City case before Judge Doory, you provided me with a copy of page 25 of that transcript, did he sentence you on a prior page of that transcript? If not, I tend to agree with you that his sentence is ambiguous regarding whether it is concurrent or consecutive.

You raise other issues in your letter. When we discuss your case, we can discuss them also.

Sincerely,

D. Scott Whitney
Assistant Public Defender
(410) 412-7143

DSW/dsw